

**REMARKS**

This is a full and timely response to the outstanding final Office Action mailed March 19, 2004 (Paper No. 13). Upon entry of this response, claims 1, 12, and 41-44 are pending in the application. In this response, claims 1, 12, and 41-44 have been amended and claims 2-9, 13-20, and 45-50 have been cancelled. Applicant respectfully requests that the amendments being filed herewith be entered and request that there be reconsideration of all pending claims.

1. Examiner Interview

Applicant wishes to express appreciation for the time that Examiner Liang spent with Applicant's representative during a telephone interview on April 22, 2004. During the interview, proposed amendments to independent claims 1 and 12 were discussed. Agreement was reached on an amendment to independent claim 1 that incorporates each limitation in dependent claims 3 and 5-8, with the newly added limitations separated by the word "or." A similar amendment to independent claim 12 was agreed upon. Applicant therefore respectfully requests that the Examiner reconsider these newly amended claims 1 and 12 and kindly pass this application to issue.

2. Allowable Subject Matter

The Office Action indicated that claims 3 and 5-8 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims, and to overcome the rejection under §112, second paragraph. As discussed in the Examiner Interview of April 22, 2004, Applicant has instead amended independent claim 1 to combine the various "wherein one of the collected counts" limitations from allowable claims 3 and 5-8 into a single phrase where

each of the limitations is separated by “or.” Applicant submits that claim 1 is allowable for the same reasons that dependent claims 3 and 5-8 are allowable.

The Office Action indicated that claims 14 and 16-18 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims, and to overcome the rejection under §112, second paragraph. As discussed in the Examiner Interview of April 22, 2004, Applicant has instead amended independent claim 12 to combine the various “wherein one of the collected counts” limitations from allowable claims 14 and 16-18 into a single phrase where each of the limitations is separated by “or.” Applicant submits that claim 12 is allowable for the same reasons that dependent claims 14 and 16-18 are allowable.

Applicant also acknowledges the Examiner’s indication that claims 42 and 44 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims and to overcome the rejection under §112, second paragraph. Applicant has amended independent claims 1 and 12, from which claims 42 and 44 depend, to overcome the rejection under §112, second paragraph.

### 3. Specifications Objections

The specification has been objected to as containing various informalities. Specifically, the Office Action identifies that “updates the updates (page 5, line 8) is an improper use of English language” (Office Action, paragraph 2). The specification has been amended to correct these informalities. Although this amendment effects several changes to the specification, it is respectfully asserted that no new matter has been added.

### 4. Claim Objections

Claims 42, 44, and 45-50 have been objected to under 35 U.S.C §112 for various informalities. In claims 42 and 44, the language “that are determined to be actual matches” has

been objected to because it “does not clearly describe what are determined to be actual matches” (Office Action, paragraph 3). Applicant has amended claims 42 and 44 to replace the language objected to with “wherein the possible matches are determined to be actual matches,” as proposed in the Office Action.

In claims 45 and 48, the language “each rule” has been objected to because it does not “clearly identify the antecedent” (Office Action, paragraph 3). Claims 45 and 48 are cancelled without prejudice, waiver, or disclaimer, and therefore, the objection to these claims is rendered moot. Applicant takes this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate any of the cancelled subject matter to the public.

5. Rejection of Claims 1-9, 12-20, and 41-44 under 35 U.S.C. §112

Claims 1-9, 12-20, and 41-44 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as his invention. In particular, the Office Action states that claims independent claims 1 and 12 have insufficient antecedent basis for “the probability.”

Claims 1 and 12 are amended to recite “collecting a plurality of counts related to a probability of each search rule locating the target record.” Applicant respectfully submits that this amendment provides antecedent basis for “the probability,” and that the rejection should be withdrawn.

Claims 2-9 and 13-20 are cancelled without prejudice, waiver, or disclaimer, and therefore, the rejection of these claims is rendered moot. Applicant takes this action merely to

reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicant so chooses, and do not intend to dedicate any of the cancelled subject matter to the public.

Claims 41-44 are amended to recite “collecting a plurality of counts related to a probability of each search rule locating the target record.” Applicant respectfully submits that this amendment provides antecedent basis for “the probability,” and that the rejection should be withdrawn.

6. Rejection of Claims 1-9, 12, 20, and 45-50 under 35 U.S.C. §103

Claims 1-9, 12, 20, and 45-50 have been rejected under §103(a) as allegedly obvious over *Neal et al.* (U.S. 6,324,534) in view of *Ozawa et al.* (JP 7-271798). Applicant respectfully traverses these rejections.

a. Claims 1 and 12

Independent claims 1 and 12 have been amended to recite limitations from dependent claims 2 and 5-8. The last Office Action (mailed March 19, 2004) indicated that the prior art of record does not anticipate or suggest any of the limitations incorporated into amended claims 1 and 12. (Office Action, p. 5). Applicant respectfully submits that amended claims 1 and 12 are therefore allowable.

b. Claims 9, 20, and 45-50

Claims 9, 20, and 45-50 are cancelled without prejudice, waiver, or disclaimer, and therefore, the rejection of these claims is rendered moot. Applicant takes this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other

claims in the present application. Applicant reserves the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate any of the cancelled subject matter to the public.

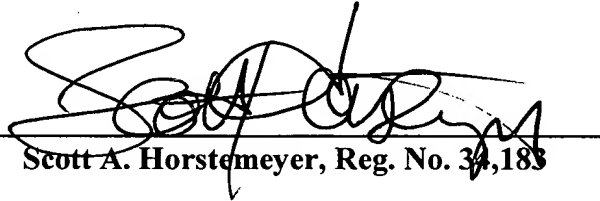
**CONCLUSION**

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and presently pending claims 1, 12, and 41-44 be allowed to issue. If the Examiner has any questions or comments regarding Applicant's response, the Examiner is encouraged to telephone Applicant's undersigned counsel.

Respectfully submitted,

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& RISLEY, L.L.P.**

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